

UNIVERSAL FELLOWSHIP OF METROPOLITAN COMMUNITY CHURCHES



BYLAWS

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- V. **APPEAL:**
Upon receipt of a request for appeal the Chair of the Judiciary Committee shall inform the C.C.C.C., who shall hear the appeal. In the event that the charges were brought to the Judiciary Committee through the C.C.C.C. three members of the Board of Elders selected by the Moderator will consider the appeal. In either case this appeal shall be considered final.

VI. **COSTS OF THE JUDICIAL PROCESS:**

The costs of the judicial process shall be the responsibility of the UFMCC. The costs of bringing charges shall be borne by the person who brought the charges. The costs for defense shall be the responsibility of the person against whom the charges were brought. However, the UFMCC reserves the right to seek restitution for expenses should the charges be found frivolous or malicious.

If either party is financially unable to bear the costs of the process an appeal should be made to the UFMCC Treasurer who with the Moderator and Clerk will make a disposition.

NEW JUDICIARY PROCESS: [EFFECTIVE: JULY 1, 1996]

The Judicial process begins when charges are brought as defined in the Bylaws (Article IV, paragraph B.1.(d).).

I. **THE JUDICIARY COMMITTEE:**

For each District, the Chair of the Board of Ordained Ministry (BOM) in consultation with the District Coordinator will appoint a Judiciary Representative to serve a three year term. This person must be an ordained UFMCC clergyperson. This appointment must be approved by the District Committee. Each time the Representative receives charges she/he will appoint two additional persons to form a Judiciary Committee. These persons must be members in good standing of UFMCC. In the event that the Representative is unable to serve or has a conflict of interest, the BOM will appoint an alternate Representative.

II. **COMPLAINTS/CHARGES:**

A. **COMPLAINTS:** A distinction should be made between complaints and charges. Any church official (Clergy, Lay Delegate, Board of Directors, District Officers, etc.) who receives a complaint of alleged misconduct by a UFMCC clergyperson shall report the complaint to the Chair of the Board of Ordained Ministry (BOM) within 24 hours. A preliminary investigation will be conducted by a member of the BOM (designated by the Chair) within 72 hours. Their report will be forwarded to the Chair of the BOM. If the Chair of the BOM determines that the complaint is not substantiated,

a record of the findings will be placed in the clergyperson's file to identify possible patterns of misconduct. The clergyperson, the person making the complaint, the District Coordinator/Administrator of Global Outreach, the Moderator of the Board of Elders, and the Director of Clergy Development shall be kept fully informed throughout the Judiciary process.

B. **CHARGES:** If the Chair of the BOM determines that the complaint has been substantiated, within 24 hours of receiving the report of the investigator, she/he shall submit charges and a complete record of her/his findings to the Judiciary Representative. The clergyperson charged and the affected church/agency will be immediately notified by the Chair of the BOM sending them a copy of the charges. Throughout the process, all parties will be kept fully informed concerning the proceedings and the resolution. The clergyperson may be placed on inactive status by the BOM and she/he shall cease to function as a clergyperson until a final judgement is reached. The clergyperson charged must be placed on inactive status immediately if the allegations indicate the possibility of injury to persons or property. The clergyperson shall continue to receive all compensation, insurance and other financial benefits until a final judgement is reached.

III. **THE HEARING:**

The Judiciary Representative will convene a hearing within 45 days from the date of receiving the charges. Further investigation may be conducted during this interval. Professional investigators may be used if deemed necessary by the Judiciary Representative. The hearing shall be conducted according to the following guidelines:

- A. The location of the hearing shall be in the district which the charges are brought against a clergyperson.
- B. Both the person bringing the charges and the person being charged shall be permitted to have an advocate present at the hearing. Advocates are not legal counsel but are present to provide support and may speak on behalf of the person they represent.
- C. Prior to commencement of the hearing, both parties shall have the opportunity to examine all documentation submitted. Both parties may present and have an opportunity to question witnesses. Only first-hand information is acceptable.
- D. A complete and accurate record of the proceedings shall be kept.
- E. Within 24 hours of the conclusion of the hearing the Judiciary Committee shall inform both parties in writing of their decision.
- F. A unanimous decision is required in order to determine that the charges are valid.

IV.

RESOLUTION:

Following a unanimous decision of the Judiciary Committee, the following actions shall be taken:

- A. The Chair of the BOM shall be informed of the Judiciary Committee's decision. In the event that the charges have been substantiated the Judiciary Committee shall determine the penalty and inform the BOM who shall invoke that penalty immediately.
- B. The Judiciary Committee should appropriately publicize the results of the hearing. Upon conclusion of the hearing and appeals process, the same Boards of Directors should be immediately provided with a brief written statement approved by legal counsel which can be read only to members of the congregation(s) and with a more detailed confidential summary of the decision pursuant to the provisions of a confidentiality agreement which would be available only to Board of Directors.
- C. Records of the hearing and all evidence will be retained by the BOM and a copy of the charges and final decision will be placed in the clergyperson's file.
- D. Appropriate pastoral care should be offered to all parties involved.

V.

APPEAL PROCESS:

Either the person bringing the charges or the person charged may appeal the decision of the Judiciary Committee. Appeals must be made to the Chair of the BOM within seven days. Three impartial members of the BOM shall be selected by the Chair to hear the appeal. Their decision must be determined within seven days and their judgement shall be final. Copies of their decision will be sent to the person bringing the charges, the person charged, and a copy placed in the file of the person charged.

VI.

COSTS OF THE JUDICIAL PROCESS:

The costs of the judicial process shall be the responsibility of the District. The costs of bringing charges shall be borne by the person who brought the charges. The costs for defense shall be the responsibility of the person against whom the charges were brought. However, the District reserves the right to seek restitution for expenses should the charges be found frivolous or malicious.

If either party is financially unable to bear the costs of the process a request for assistance may be made to the District Treasurer who with the District Coordinator/Administrator of Global Outreach will make a decision.

CODE OF CONDUCT:

The following is a code of conduct UFMCC uses internally to define unbecoming conduct, disloyalty and dereliction of duty:

UNBECOMING CONDUCT:

1. Pattern of public drunkenness or substance abuse.
2. Misappropriation of church funds or property.
3. Misuse of the powers of the pastoral office for personal or sexual gain.
4. Any sexual relations with persons below the age of consent.
5. Non-consensual physical abuse or violence.
6. Sexual relations between supervisors and those they supervise or counselors and those they counsel.
7. Pattern of deceit or dishonesty.
8. Creating a person-centered ministry rather than a Christ-centered ministry, i.e., creating emotional dependency on the pastor, abuse of authority, divisiveness.
9. Knowingly violating the sanctity of another person's relationship covenant.
10. Inappropriate violation of confidentiality.
11. Sexual harassment, i.e., any sexually related behavior that is unwelcome, offensive, and which fails to respect the rights of others.

DISLOYALTY:

12. Patterns of deliberate or malicious acts which damage or bring harm to a person, a congregation, or other church body within the UFMCC.
13. Initiating or performing a ministry which is unauthorized and unaccountable to UFMCC.
14. Undermining the authority and ministry of the pastor.

DERELICTION OF DUTY:

15. A pattern of deliberate non-attendance at UFMCC General or District Conferences, (a minimum of one conference in two years is required).
16. A pattern of ministry that leaves churches weakened rather than strengthened.
17. Leading a church into unreasonable indebtedness or other breach of fiduciary duties.
18. Negligent supervision
19. Failure to report acts of misconduct.

CODE OF CONDUCT

I pledge to uphold the UFMCC Code of Conduct printed above.

Signature of Clergy person

Date

INSTRUCTIONS:

Please fill out the Status Form completely. Return the original copy to:

**CCCC Office
c/o UFMCC
5300 Santa Monica Blvd., Suite 304
Los Angeles, California 90029**

Mail a copy of the completed form in total to your local Board of Ordained Ministry. Keep a copy for your records.

FOR THE REPORTING YEAR 1995 ONLY this form will be due **February 1, 1996**, and the **\$50 filing fee** will be payable to the UFMCC. **RETURN THIS FORM WITH THE FEE** to the CCCC at 5300 Santa Monica Blvd., Suite 304, Los Angeles, California, 90029. Mail a copy of the completed form in total to your local Board of Ordained Ministry in care of your District Committee. The CCCC/Transition Team will issue a license to practice where appropriate.

FOR ALL OTHER REPORTING YEARS this form will be due on or before **January 1st**, with the filing fee payable to your local Board of Ordained Ministry (BOM). Local BOMs will issue licenses to practice where appropriate.
